

## **REMARKS**

### **I. Status of Application**

Claims 1-35 are all the claims pending in the application. As stated in the Amendment filed on April 19, 2010, Applicant thanks the Examiner for returning the PTO/SB/08 form filed with the Information Disclosure Statement on July 24, 2006. However, in the returned PTO/SB/08 form, the Examiner has indicated that he has not considered foreign patent document JP 2002-517034. Furthermore, as discussed between the Examiner and Applicant's representative on March 17, 2010, the Examiner stated that the reference JP 2002-517034 would be considered without further action required by the Applicant. Notwithstanding, in the instant Office Action, the Examiner has not indicated that he has considered the reference JP 2002-517034. Therefore, Applicant respectfully requests that the Examiner consider reference JP 2002-517034, as submitted in the IDS of July 24, 2006.

### **II. Claim Rejections Under 35 U.S.C. 102**

Claims 1-35 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent 7,373,496 to Sekiguchi et al., hereinafter "Sekiguchi." Applicant respectfully traverses the rejection and requests reconsideration.

Regarding the rejection of independent claim 1, Applicant respectfully submits that claim 1 is patentable over Sekiguchi because each and every element is not disclosed by Sekiguchi. For example, Applicant submits that Sekiguchi does not disclose or suggest saving process information in the OS to a save area and restoring the saved process information in the OS after restart of the OS, wherein the process information comprises a process condition, in combination with other elements of the claim.

On page 2 of the Office Action, the Examiner appears to take the position that the non-stop module manage table 500 illustrated in FIG. 5 of Sekiguchi allegedly corresponds to the claimed save area of claim 1, and the data structure stored therein allegedly corresponds to the claimed process information of claim 1. Applicant respectfully disagrees.

In particular, the non-stop module manage table 500 disclosed in Sekiguchi processes external interrupts which are executed independent of the operating system (column 2, lines 48-52). The non-stop module manage table 500, however, does not include a process condition. Therefore, Applicant respectfully submits that Sekiguchi does not disclose or suggest saving process information in the OS to a save area and restoring the saved process information in the OS after restart of the OS, wherein the process information comprises a process condition, as recited *inter alia* in claim 1.

Regarding the rejection of independent claims 2-5, 10-12, 14, 19-21, 23, and 28, it is noted that each of these claims is allowable for at least similar reasons as those provided above with reference to claim 1.

Regarding the rejection of claims 6-9, 13, 15-18, 22, 24-27, and 29-35, it is noted that these claims are allowable over Sekiguchi for at least the reasons set forth above, due to their respective dependencies.

### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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**23373**

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